

DETAILED ACTION

EXAMINER'S AMENDMENT

The application has been amended as follows: An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Fallow on 03/02/2010.

1. The application has been amended as follows:
 - a. Please replace claim 20 with the following claim:

20. ~~Tube, in particular for the use in medical devices in the form of catheters for endoluminal operations, comprising at least one portion of its wall notches~~ A medical tube for use as an endoluminal catheter, comprising a plurality of wall notches, at least one portion of its wall notches having a width A such as to locally increase flexibility of said tube, said notches being provided in at least one distal zone of said tube and exhibiting a substantially discontinuous helical pattern, wherein said notches form an angle α with a circumference obtained on an outside surface of said tube, said angle α increasing continuously from a distal end in a proximal direction, wherein each of said notches has two ends and a hole, having a diameter greater than the width of the notch, is formed at each said end to relieve stresses.

The following is an examiner's statement of reasons for allowance: The prior art made of record did not disclose or render obvious a combination as is recited in claim 20 including a tube having a notch with two holes on the ends of said notch to relieve stress. Schwartz et al. (US 5573520) in view of Swanson (US 5743876) only discloses a discontinuous helical pattern of notches falling short of having two holes one at each end of every notch.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PRITESH PATEL whose telephone number is (571)270-7025. The examiner can normally be reached on Monday-Friday 7:30Am-5:00PM, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas Lucchesi can be reached on (571)272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3763

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. P./

Examiner, Art Unit 3763

03/03/2010

/Nicholas D Lucchesi/

Supervisory Patent Examiner, Art Unit 3763